IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

RP.No. 621 of 2007(M)

AGAINST THE JUDGEMENT IN WPC.1594/2007 Dated 31/01/2007
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REVIEW PETITIONER/PETITIONER

JAMES JOSEPH,
KALAIKAL HOUSE, PUZHAVATHU KARA,
CHANGANACHERRY VILLAGE, KOTTAYAM DISTRICT.

BY ADV. SRI.M.NARENDRA KUMAR
SRI.S.MOHANAN

RESPONDENTS: RESPONDENTS
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1. STATE OF KERALA, REP. BY
MINISTRY OF REVENUE, SECRETARIAT,
THIRUVANANTHAPURAM.

2. TAHSILDAR,
CHANGANACHERRY TALUK, CHANGANACHERRY.

3. VILLAGE OFFICER,
PAYIPAD VILLAGE, CHANGANACHERRY.

BY GOVERNMENT PLEADER

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

R.P.No.621 OF 2007

Dated this the 3rd day of July, 2007

O R D E R

The judgment sought to be reviewed was issued on the ground that the order impugned in the writ petition is an appealable one.

2. The petitioner applied for effecting mutation in his name. The statutory authority took the stand that mutation cannot be effected as of now because of the pendency of certain attachments and revenue recovery cases. Therefore, it is a case where, though it is stated in Ext.P4 that the mutation can be effected as and when those attachments are rejected and revenue recovery cases closed, there is a decision to refuse mutation, which the petitioner would have been otherwise entitled to. The correctness or otherwise of the reasons stated in Ext.P4 is itself a ground for appeal and such an order of rejection is essentially one appealable under the Transfer of Registry Rules. It was therefore, that the writ petition was not

entertained and that was essentially without prejudice to the right of the petitioner to file a statutory appeal against Ext.P4.

Having regard to what is aforesaid, I find no ground to review the judgment. The review petition is dismissed.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.